

THE NEW UNITED NATIONS

What It Can't and Can Do

HANS J. MORGENTHAU

IN TRYING to assess the contribution the United Nations makes today, and might be able to make tomorrow, to the settlement of international conflicts, it is indispensable to keep in mind that what we call the United Nations today is not what the United Nations started out to be. A sharp distinction must be drawn between the constitutional provisions of the Charter and the manner in which the agencies of the United Nations, under the pressure of unforeseen political circumstances, have actually performed their functions under the Charter. What we habitually do with regard to the government of the United States we must also do here: confront the provisions of the constitution with the realities of political practice. Nor does our task end here. For within this sphere of political practice we must also clearly distinguish between two phases in the development of the United Nations: one covering roughly the first decade of the organization's existence, the second starting in 1957. The United Nations of the first phase differs in its character and the functions it was able to perform from the United Nations of the second phase, as both differ from the United Nations envisaged by the text of the Charter.

The Charter intends the United Nations to be an international government by the great powers, which are identified as the five permanent members of the Security Council, i.e., China, France, Great Britain,

the Soviet Union, and the United States. Two major constitutional devices serve that purpose. Articles 10 to 14 establish the predominance of the Security Council over the General Assembly by limiting the latter to the making of recommendations in political matters. The General Assembly can debate, investigate, and recommend, but it cannot act. Even these functions are qualified by Article 12, which precludes the General Assembly from making even recommendations on matters that are on the agenda of the Security Council. This device enables the Security Council to control indirectly the political functions of the General Assembly. By simply putting a matter on its agenda, the Security Council can transform the General Assembly into a debating society without even the right to express its collective opinion on the matter.

The predominance of the Security Council having thus been established, the Charter proceeds to establish the predominance of the great powers within the Security Council. Article 27, paragraph 3, stipulates that "decisions of the Security Council . . . shall be made by an affirmative vote of seven members including the concurring votes of the permanent members." That is the famous veto provision. Dissent by one of the permanent members is sufficient to prevent action by the Security Council, even when all the other ten members are in favor of it. In other words, each of the permanent members has a veto. Thus the Charter predicates the United Nations upon the continuing unity of the permanent members of the Security Council. In the scheme of the Charter these five members are, as it were, the nucleus of a world federation, of a limited world government. It follows that with but one permanent member dissenting there can

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be no international government of the United Nations.

Actually, however, the international government of the United Nations is government by the great powers to a still greater degree than the foregoing analysis would indicate. Of the five permanent members of the Security Council only two, the United States and the Soviet Union, are really great powers. Great Britain and France are medium powers, China is only potentially a great power, and the government of Formosa, which occupies the permanent seat of China, represents the mere fragment of a nation. Under the present conditions of world politics, most members of the Security Council, the permanent members included, can be prevailed upon, if need be, to support a position taken by both the United States and the Soviet Union. The international government of the United Nations, stripped of its legal trimmings, then, is really the international government of the United States and the Soviet Union acting in unison. At best—if they are united—they can govern the rest of the world for the purpose of maintaining order and preventing war. At worst—if they are disunited—there will be no international government at all.

THIS constitutional scheme was built upon three political assumptions. First, the great powers, acting in unison, would deal with any threat to peace and security, regardless of its source. Second, their combined wisdom and strength would be sufficient to meet all such threats without resort to war. Third, no such threat would emanate from one of the great powers themselves. These assumptions have not stood the test of experience. The great powers have not been able to act in unison when their divergent interests were at stake, which is another way of saying that they have been able to act in unison only in rare and exceptional circumstances. And the main threat to the peace and security of the world emanates from the great powers themselves.

Thus the constitutional scheme of the Charter, defied by the political reality of the

postwar world, has remained a dead letter. The conflict between the United States and the Soviet Union has prevented the United Nations from becoming the international government of the great powers which the Charter intended it to be. That conflict has paralyzed the Security Council—placing the United States and the Soviet Union generally on opposite sides of the issues voted on—and is responsible for the ascendancy of the General Assembly as the dominant political agency of the United Nations. These two complementary developments are graphically demonstrated by the quantitative decline of the activities of the Security Council and the corresponding increase of those of the General Assembly. The Security Council started out, in accordance with the intention of the Charter, by meeting more often and dealing with more political issues than the General Assembly. After reaching the pinnacle of its importance in 1947-1948, its activities declined steadily until the *London Economist* could say at the beginning of 1958, mixing its metaphors a bit: "The almost lifeless skeleton of the Council stands like a blasted rock in the background of the UN scene."

The General Assembly owes its present dominant position primarily to the inability of the Security Council to perform the task with which the Charter charges it: preserve peace and security. The impotence of the Security Council and the need for the General Assembly to take its place became dramatically obvious during the Korean war. With the Security Council paralyzed by the Russian veto, the General Assembly passed in November 1950 the "Uniting for Peace" resolution which established the General Assembly as the main United Nations agency for the preservation of peace and security.

In view of the text of the Charter, the General Assembly should never have been able to supersede the Security Council in any respect. For the Charter erects a seemingly insurmountable obstacle to any such usurpation by giving only the Security Council the power to make legally binding

decisions and by allowing the General Assembly to do no more than recommend. The ever more marked inability of the Security Council to decide has brought about a subtle change in the relative powers of the two agencies. This change has endowed the recommendations of the General Assembly with an authority akin to that of a legally binding decision. The overwhelming majority of the members of the United Nations have felt that the United Nations ought to take action with regard to certain matters and that, in the absence of a Security Council able to act, the General Assembly ought to act in the manner the Security Council would have acted were it able to do so. Thus, while technically speaking the General Assembly can only recommend, a substantial majority of the members have shown a tendency to act upon these recommendations as though they were legally binding decisions.

This transformation of the General Assembly into the politically dominant agency of the United Nations was possible only because at least two-thirds of the member nations favored it. If at least a two-thirds majority had not voted for the recommendations which were submitted to the General Assembly during the last decade, that transformation would not have taken place. This majority is the instrument which has brought this transformation into being, which gives the transformation life as long as it supports it, and which determines its content and its strength. And it is upon the composition of that majority that the character of the transformation depends.

The composition of the majority supporting the recommendations of the General Assembly has undergone a drastic change with the admission of twenty new members in 1955-56. This date constitutes a turning point in the history of the United Nations, closing one phase and ushering in a new one. It can even be said that the United Nations which existed before that date was a different instrument of international government from the United Nations existing today, capable of performing different functions from those

which the present United Nations is able to perform. The transformation the United Nations has undergone has not stopped with the shifting of the center of political decision from the Security Council to the General Assembly. It has created within the General Assembly itself two different types of international organization, built upon two different kinds of majorities.

The majority which carried the recommendations of the General Assembly until the end of 1956 had as its nucleus the United States, the nations of Western Europe, most members of the British Commonwealth, and the Latin American nations, amounting to thirty-nine votes. Around this nucleus other nations grouped themselves in ever changing configurations, sometimes voting with the majority, sometimes against it, sometimes abstaining. Permanently excluded from it was the Soviet bloc, numbering five votes. Not only was this new United Nations an international government conducted without the participation of the Soviet bloc, it was also an international government which opposed the Soviet bloc as the latter opposed it. It owed its very existence, and found its main political and military purpose, in the opposition it offered to the Soviet bloc. In its purpose it could well be called a grand alliance directed against the Soviet bloc.

The increase in the membership of the United Nations from the original fifty to the present eighty-one members has drastically changed the distribution of voting power in the General Assembly and, with it, the political functions the United Nations is able to perform through the General Assembly. The increase in membership has led to three politically significant changes in the distribution of votes. The Western bloc, counting forty-three votes, has lost its ability to marshal regularly a two-thirds majority in support of resolutions directed against the Soviet bloc. While it is still able to gain this support sporadically, as for instance in the resolutions dealing with conditions in Hungary, the nations which can be counted upon to support its policies with regularity

number more than one-third but less than two-thirds of the total membership. In consequence, the best the United States can hope for with any degree of regularity is to impose a veto upon objectionable resolutions by withholding the vote of its supporters from them. The United States can still perform a negative task: prevent the use of the United Nations against its interests. But it can no longer count upon using the United Nations for the positive task of promoting its interests.

WHILE the influence of the United States within the United Nations has thus drastically declined, that of the Soviet bloc, amounting to nine votes, has increased. During the first postwar decade, the Soviet Union was in a virtually hopeless minority, both in the Security Council and the General Assembly. In the Security Council it has been able, as we have seen, to protect itself against the consequences of being regularly outvoted through the use of the veto. In the General Assembly it was unable as a rule to prevent resolutions objectionable to it from passing because it could count upon less than one-third of the members to support its position. Today, the Soviet Union has a good chance—although not yet as good a chance as has the United States—to add to the votes of the members of its bloc the votes of a number of other nations, which votes together would amount to more than one-third of the membership and would thus place the Soviet Union in a position to prevent resolutions objectionable to it from being passed.

This shift in the distribution of voting strength results from the fact that the massive increase in the membership of the United Nations primarily benefited nations belonging to the so-called Afro-Asian bloc. The Afro-Asian bloc, numbering twenty-nine members, comprises more than one-third of the membership of the United Nations. Thus, if it were to vote in unison, it could both exercise a veto on any resolution adverse to its interests or else, by joining either the American or the Soviet bloc, become

the core of a working two-thirds majority. In reality, however, the Afro-Asian bloc has but rarely voted as a unit; its vote has typically been split, with some members voting with the American, others with the Soviet bloc, and a very considerable number abstaining. Consequently, as concerns the ability of the United Nations to function politically through the General Assembly, the Afro-Asian bloc has thus far performed a negative function. By splintering its vote between them, it has strengthened the power of the American and Soviet blocs to oppose the will of a simple majority with the veto of more than one-third of the membership. As a result, the General Assembly has proven itself incapable of passing resolutions calling for any action more decisive than investigations, good offices, and reports by the Secretary General, his representatives, or a committee of the General Assembly.

The sole exception is the resolution of February 3, 1957, establishing a United Nations emergency force to patrol the borders of the Gaza strip and the coast line adjacent to the straits of Tiran. Yet this action was due to a unique convergence of circumstances: the United States voting with the Soviet Union against its principal allies on a political issue, the general indifference if not hostility in the United Nations to the interests of Israel, the need of Egypt to recover from the rout of the Sinai campaign. Each of these positions commanded wide voting support, and their convergence assured overwhelming support for the action taken. In addition, the issue with which the General Assembly had to deal—mitigation of the danger of war at the two most sensitive spots of the Israeli-Egyptian frontier—was susceptible to the limited action taken.

None of the issues that have come before the General Assembly since show either that convergence of positions supporting for different reasons the same action, or that susceptibility to a limited action, the only kind which the United Nations is capable of taking. Consequently, the General Assembly has had to limit itself to passing declaratory resolutions which at best convey the appear-

ance of action while being devoid of substance. That appearance has been supplied by the office of the Secretary General.

The Charter intends the Secretary General to be "the chief administrative officer of the organization." He "may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security." And he "shall perform such other functions as are entrusted to him by (the) organs" of the United Nations. It is from this provision of the Charter that the new functions of the Secretary General as the apparent chief political agent of the United Nations derive.

These new functions are intimately related to the impotence of the General Assembly, as the responsibility for action which the General Assembly has taken on is intimately related to the impotence of the Security Council. And one can go one step further and say that the responsibility for the settlement of political issues with which the United Nations as a whole has been burdened is a by-product of the inability of the nations directly concerned, especially the great powers, to settle outstanding political issues among themselves. The nations directly concerned and, more particularly, the great powers, have been unable to agree on a political settlement for the Middle East. So they charge the United Nations with finding a settlement. The members of the General Assembly, taking the place of the paralyzed Security Council, are no more able to agree on a settlement collectively than they were when acting as individual nations. So they charge the Secretary General with finding a solution. Yet the result is bound to be not action delegated, but inaction concealed.

PARTIES to a political conflict can be induced by outsiders to agree on a peaceful settlement by four methods, employed alternately or simultaneously. They can be threatened with disadvantages expected to outweigh the advantages to be gained from continuing the conflict; they can be prom-

ised advantages greater than those to be expected from seeing the conflict through to a successful conclusion; they can be persuaded by rational arguments pointing to the advantages and disadvantages to be expected and to the intentions and capabilities of the other side and of interested third parties; they can be helped in taking the last small step toward the consummation of a settlement already achieved in substance through the elaboration of a face-saving and technically satisfactory formula. Of these four devices, the first two tower in importance over the two others, which perform essentially subsidiary functions. It is the measure of the weakness of the Secretary General's position as a political agent that he is almost completely deprived of the two most potent instruments of conciliation, threat and promise, and limited to the use of rational persuasion and formulation of agreements already substantially attained.

The weakness of the General Assembly, as presently composed, then, is reflected in the weakness of the Secretary General. Both can talk, explain, and formulate; but neither can at present put a hand on that lever of threats and promises which is the very soul of political action. The new eminence of the Secretary General in terms of sheer activity is but a function of the General Assembly's embarrassment at being called upon to act without being able to. And that call to action, addressed to the General Assembly, is in turn but the great powers' cry of despair at being unable to settle among themselves issues which, as long as they remain unsettled, carry within themselves the threat of war. Thus the travels of Mr. Hammarskjöld, like the resolutions of the General Assembly, are not so much harbingers of recovery, let alone a cure for the disease, as symptoms of its intractability. Yet they can also have the effect of sedatives for jangled nerves and of medication which prevents existing wounds from opening still wider. This is indeed the contribution which the United Nations is at present able to make to the peaceful settlement of international disputes.

The General Assembly is, at any rate for the time being, in the position in which the Security Council found itself from the very beginning: it is unable to act for the reason that the majority required by the Charter is lacking. Yet while the Security Council was paralyzed from the outset by the foreseeable and almost automatic use of the veto by the Soviet Union, the paralysis of the General Assembly has been the result of a dynamic process which can be broken down into three phases: disintegration of the two-thirds majority led by the United States; the vain attempt by the two superpowers to fashion a two-thirds majority in support of their respective policies; the attempt by the two superpowers to minimize the voting support of the other side. This continual search for votes, or at least abstentions, has become one of the main preoccupations of the great powers in the General Assembly. Out of it, a new diplomatic procedure has developed, the significance of which is twofold. It forces the great powers to defer, at least in the formulation of their policies, to the preferences of the small member nations and thereby blunts the sharp edges of international conflict. It provides the nations concerned with an opportunity to shift the apparent responsibility for unpleasant decisions to the United Nations and thereby acts as a face-saving and shock-absorbing device.

The powerful nation which needs for the successful execution of its policies the support of small nations can follow one of two courses of action. It can resort to the traditional method of diplomacy and bring its superior power directly to bear upon the weaker nations. In this way dependencies are established and alliances are formed. However, a powerful nation which tries to gain support for its policies through the United Nations General Assembly cannot rely upon its superior power alone. Superior power avails it nothing if it is unable to attract the number of votes sufficient for the purposes of its policy. Thus it must pursue a different course of action, which is determined by the procedures of the General

Assembly. These procedures and the new United Nations diplomacy which has developed from them tend to diminish the distinction between great and small nations, since all of them have but one vote.

IF A great power had only the task of fashioning an alliance with the techniques of traditional diplomacy, it would select the members of the alliance primarily according to the power they could add to it. Yet the task of the new United Nations diplomacy is not so much to build an alliance with a maximum of political and military power, as to form a majority with a maximum of voting strength. In the General Assembly, India's vote counts for as much as Nicaragua's, and Yemen's is as valuable as Great Britain's. The most powerful member of an alliance can afford to disregard the preferences of small nations whose power counts for nothing, making concessions only to those whose power counts. The most powerful member of a majority in the process of formation must heed the wishes of even the weakest nation whose vote is needed.

Of course, the power of the big nation is still felt, as is the weakness of the small one. Yet while power and weakness still count in the new United Nations diplomacy, they do not count for as much as in traditional diplomatic methods. Here lies the important distinction between the techniques of traditional and United Nations diplomacy: the latter is compelled to persuade, where the former could afford not to care. Thus a great power must present the issues to be voted on in terms acceptable to the members whose votes are needed. This necessity involves a dual transformation of the measure from what it would be were it to serve exclusively the purposes of the great power.

First of all, the measure must be presented in language reflecting the common interests of the prospective members of the two-thirds majority, rather than the interests of a particular nation or more limited group of nations. This linguistic transformation may frequently amount to no more than ideological justification and rationalization

of national policies in terms of supranational ones. Yet the constant use of a certain terminology, not only for purposes of propaganda but in the give and take of political transactions, may well exert a subtle influence upon the substance of the transactions themselves. For the language constantly used will create in the participants to the transaction expectations to which the transaction somehow must conform or from which, at the very least, it cannot completely deviate. Thus a foreign policy with which a certain nation or limited group of nations is completely identified, and for which the broad support of two-thirds of the General Assembly is sought, may well undergo a subtle change if, for the purpose of gaining such broad support, it is constantly presented in supranational terms. Such a change would hardly ever run counter to the objectives and methods envisaged by the original national policy. Yet it may well result in the blunting of the sharp edges of a national policy, its retreat from an advanced position, and its reformulation and adaptation in the light of the supranational principles embodied in the language of the resolution.

The same result will be directly and almost inevitably achieved in the course of the negotiations by which a two-thirds majority in support of the resolution is formed. The divergence of interests, capabilities, and points of view among the members whose support is sought necessitates a search for a common denominator, which is bound to be below the maximum desired by the originator of the national policy. How far below that maximum the measure enacted by the General Assembly is going to be will depend in part upon the skill with which different nations make use of the new methods of United Nations diplomacy. In large measure, however, the distribution of material power between the nations seeking support for a policy and the nations whose support is sought will decide the extent to which the former must give way in order to gain that support. For the nations that can afford to do so will use their power as a lever by which to gain concessions and avoid

making them. It is here that old and new diplomacy merge.

YET the United Nations presents two great inducements for making concessions, at least in the formulation of policies: it is at present powerless to act, and it speaks with a voice which pretends and appears to be, and within certain limits actually is, different from that of the great powers. Thus nations in conflict with each other can afford to do vis-à-vis the United Nations what they think they cannot afford to do in their relations with each other: make concessions in the formulation, if not the substance, of their policies without fear of losing face. This is particularly so if the face-saving formula is proposed by a "neutral" nation or group of nations. For then the parties to the dispute appear to make concessions not to each other, but to the majority of the General Assembly in whose name the "neutral" nation appears to speak. Conversely, the refusal to make concessions appears in the circumstances not so much as defense of one's own rightful position against the enemy, but rather as defiance of the "political voice of mankind itself." However intangible and imponderable these influences are which the General Assembly is able to bring to bear by virtue of its very existence as an operating agency, these influences exist and are being taken into account by the nations concerned.

The Secretary General, as designer of the face-saving formula, personifies both the "neutral" nations and the "political voice of mankind" and partakes of the influences they exert in the General Assembly. However, he has at his disposal two more devices which enable him under favorable circumstances to mitigate international conflicts. One is a function of his office and the sole means of real pressure at his disposal. He can warn a reluctant party that he will bring the situation to the attention of the General Assembly as a threat to international peace and security, and in terms which place the blame where the Secretary General thinks it belongs. By doing this, he threatens to bring

those influences into motion which enable the General Assembly to play the mediating and mitigating role to which we have referred.

The other instrument at the disposal of the Secretary General is a function of his personality and lies purely in the realm of persuasion. Mr. Hammarskjöld's tenure of office shows impressively how dependent the peace-promoting functions of the Secretary General are upon the intellectual and moral qualities of the holder of that office. Only a man of Mr. Hammarskjöld's personality

could have tried to do what he has tried to do in this respect, and have achieved what he has achieved.

In view of the magnitude of the unsettled issues, it is fair to say that what he has achieved is little enough, and this judgment must be extended to the United Nations as a whole. But in view of the enormity of the consequences with which these unsettled issues threaten not only individual nations but civilization itself, it must also be said that the little that has been achieved by the United Nations is better than nothing.

THE CHILD

EMIL BOYSON

ON MY way through the park
I saw you playing one second.
Watching you, your father
Reads "Family Times of Zion."
(Berlin, 1933; it's still allowed
for Jews
To sit on a bench in a park;
We're humane; Der Führer wishes it.
But it won't be much longer.)
You get up from the sandpile,
And tear over to him,
The black curls jumping on your head,
Calling out, Father! Father!
And dark eyes burn with gayness
And all the charm of a foreign race.

It won't be much longer.
Take off your clothes! (Economical,
Der Führer wishes it)
Throw yourself in the big fire-oven!
Der Führer wishes it!

Little bloom of a strange race,
I am the only person on the entire earth
Who even knows that you were alive.
They tossed your father in the fire-oven,
Then the uncles and cousins and aunts
And all who were remotely related.
Those who murdered you, you have slipped
their mind.
That's all I have to say.

EMIL BOYSON, considered widely to be Norway's best living poet, won the Norwegian Critics' Prize in 1957 for his book of poems that year. The translator of this example of his work is ROBERT BLY, himself a poet whose verse is included in *New Poets of England and America* (Meridian).